

UNITED STATES COURT OF APPEALS

MAR 28 2008

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

ROBERT HERRING, SR.; ROBERT
HERRING, JR.; CHARLES HERRING,

Plaintiffs - Appellants,

v.

TERADYNE INC., STUART OSATTIN
and RICHARD MARK SCHNEIDER,

Defendants - Appellees.

No. 05-55183

D.C. No. CV-01-001835-DMS
Southern District of California,
San Diego

ORDER

Before: T.G. NELSON, SILER,* and HAWKINS, Circuit Judges.

The mandate that issued on December 5, 2007 is hereby recalled.

The Memorandum disposition, filed on July 13, 2007, is amended as follows:

On page 1, footnote call “**” is inserted following “Dana M. Sabraw, District Judge, Presiding.” The footnote shall read: “This appeal, from a final judgment entered by Judge Dana M. Sabraw, sought appellate review of orders earlier entered by United States District Judge M. James Lorenz.”

* The Honorable Eugene E. Siler, Jr., Senior United States Circuit Judge for the Sixth Circuit, sitting by designation.

On page 1, existing footnote call “**” following “SILER,” and footnote designation “**” before “The Honorable Eugene E. Siler, Jr., Senior United States Circuit Judge for the Sixth Circuit, sitting by designation.” are changed to “***”.

The mandate shall issue forthwith.